

---

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

---

LOY ARLAN BRUNSON, in his personal  
capacity and as a member of “We The  
People,”

Plaintiff,

v.

ALMA S. ADAMS, et al.,

Defendants.

**ORDER DENYING MOTION FOR  
ENTRY OF DEFAULT**

Case No. 2:21-cv-00175-RJS-CMR

Chief District Judge Robert J. Shelby

Magistrate Judge Cecilia M. Romero

---

Before court is pro se Plaintiff Loy Arlan Brunson’s Motion for Entry of Default.<sup>1</sup> In it, Brunson moves for an entry of default against Defendant Michael Richard Pence “in his capacity as former Vice President of the United States of America.”<sup>2</sup> Brunson argues the Fourth Amended Complaint was served on Pence on April 22, 2022, “[a]s of May 23, 2022, Pence has failed to plead or otherwise defend this action,” and therefore, “Brunson is entitled to judgment by default against Pence.”<sup>3</sup>

Under Federal Rule of Civil Procedure 12(a)(2), “a United States officer . . . sued only in an official capacity must serve an answer to a complaint . . . within 60 days after service on the United States attorney.”<sup>4</sup> Sixty days have not yet passed since the service of Brunson’s Fourth

---

<sup>1</sup> Dkt. 59.

<sup>2</sup> *Id.* at 1.

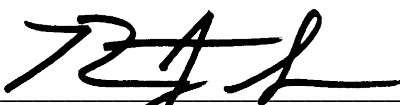
<sup>3</sup> *Id.* at 1–2.

<sup>4</sup> Fed. R. Civ. P. 12(a)(2).

Amended Complaint.<sup>5</sup> Therefore, the Motion for Default Judgment is premature. The Motion is, accordingly, DENIED.<sup>6</sup>

So ORDERED this 31st day of May, 2022.

BY THE COURT:

  
\_\_\_\_\_  
ROBERT J. SHELBY  
United States Chief District Judge

---

<sup>5</sup> See Dkt. 56 (Summons Returned Executed as to Michael Richard Pence on 05/03/2022).

<sup>6</sup> Dkt. 59.